

**Opening Statement
Chairman Tom Davis
Committee on Government Reform
“Getting the Lead Out:
The Ongoing Quest for Safe Drinking Water in the Nation's Capital”
March 11, 2005**

If you step outside of this hearing room and try to get a drink of water from the drinking fountain — you can't! Every drinking fountain in the Capitol complex has been shut off. Go into any bathroom in this building and you will be confronted with a big red sign that reads “DO NOT DRINK WATER FROM RESTROOMS.” Why? Because of elevated lead levels in the drinking water supply.

In the Capitol of the most advanced and powerful nation on the world, the water supply is not safe for drinking. This discovery came on the heels of elevated levels of lead found in the District of Columbia's water supply. What exactly is going on?

Today marks the third investigative hearing that the Government Reform Committee has conducted into the causes of the elevated lead levels in the District of Columbia's water supply. This is a situation that affects every resident of the District, including the Congress and the rest of the Federal government.

In our hearings on March 5 and May 21, 2004, the Committee assessed the progress being made by EPA, the Washington Aqueduct, and WASA in combating the lead problem in the District and the sufficiency of steps being taken to address the problem: the remediation process, lead replacement, and changes to water treatment. We also explored potential measures designed to assure that regulations governing lead content in the water supply and requirements for coordination among responsible governmental agencies were effective in ensuring the safety of drinking water in the District of Columbia and throughout the nation.

Since those hearings, several developments have occurred that are central to the critical issues raised by the level of safety of the District water supply. One is the Administrative Order for Compliance on Consent and the Supplemental Order between EPA Region III and WASA, where WASA agreed to comply with the corrective actions specified by EPA, which extended beyond the minimum compliance requirements of the Safe Drinking Water Act and EPA regulations. Actions required by WASA included development and implementation of: (1) accelerated lead service line replacement; (2) a public education plan with education materials approved by EPA; (3) a plan and schedule for enhanced monitoring and reporting of lead levels and data base management; and (4) a plan to distribute water filters to all households that have lead service lines.

Another significant development is EPA's announcement earlier this week of preliminary results of its nationwide review of the effectiveness of the Lead and Copper Rule in monitoring and evaluating the lead levels in the water systems throughout the country.

Overall, EPA found that lead levels were not elevated nationwide, as they were in the District of Columbia. EPA determined that the framework for the current rule was reasonably effective in achieving its purpose. Therefore, EPA did not recommend any wholesale changes in the Lead and Copper Rule, but did identify a number of clarifications and improvements to the Rule and accompanying guideline documents, which it believes will facilitate compliance by the water systems across the country. The specific recommended changes are included in EPA's plan of action, which I'm sure will be outlined by EPA in its testimony.

I am generally pleased that EPA has taken these actions. Based on my initial review of EPA's findings, I believe that this is a step in the right direction for assuring that the Lead and Copper Rule is effective in protecting the nation's water supply from excessive lead levels. I look forward to hearing more about the recommendations from EPA, the water systems across the country, and other interested parties. Also, I am encouraged that EPA will continue to evaluate the situation, and will await its further recommendations.

We have a distinguished panel of witnesses before us. I look forward to hearing their testimony on federal regulations concerning the monitoring of lead levels in drinking water, the status of the District of Columbia's drinking water lead levels and remediation efforts, and EPA's recently-announced plan for actions that includes changes to the Lead and Copper Rule. We will hear from the Environmental Protection Agency, the U.S. Army Corps of Engineers Washington Aqueduct, the District of Columbia Water and Sewer Authority, the American Water Works Authority, the National Resources Defense Council, and an independent consultant.